

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

Claims 1-4 and 6-9 were pending. By this Amendment, claims 1 and 6 have been amended and claim 10 has been newly added. The amendments made to the claims have support in the specification at, for example, page 13, lines 10-17 and no new matter has been introduced. Therefore, after entry of this Amendment, claims 1-4 and 6-10 are pending, of which claims 1 and 6 are independent claims.

In the Final Office Action, claims 1-2 and 6-7 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,480,669 to Tsumagari et al. (“Tsumagari”) and claims 3-4 and 8-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumagari. At least for the reasons stated hereinafter, the reasons for rejection are respectfully traversed.

Amended claim 1 addresses an apparatus for recording video data on recording medium having a chapter information recording area. In the apparatus, a thumbnail image generated by a thumbnail setting section corresponds to a chapter boundary information of the video data stored by a chapter manager. The thumbnail image is cancelable by means of the use of the input section, and according to the cancellation of the thumbnail image, the chapter manager re-stores position information of the video data to the chapter information recording. Newly added dependent claim 10 recites that when the thumbnail image is canceled, a chapter started at the thumbnail image is merged to an adjacent chapter.

Amended claim 6 addresses a method for recording video data on recording medium having a chapter information recording area, which has similar features as those of amended claim 6. For example, amended claim 6 recites, among other things, that automatically canceling the chapter boundary information when the thumbnail image is canceled by means of an input section.

In summary, amended claims 1 and 6 recite the following two major features: The position information of video data indicated when a recording operation is temporarily halted and then restarted is automatically stored in a chapter information recording area as chapter boundary information; and the top picture is set as a thumbnail image when the recording operation is restarted after the temporarily halt.

It is respectfully submitted that Tsumagari does not explicitly disclose these features. In particular, Tsumagari fails to teach or suggest that the thumbnail image is cancelable by

means of the use of an input section and according to the cancellation of the thumbnail image, the chapter manager re-stores position information of the video data to the chapter information recording, as recited in amended claim 1. Tsumagari also fails to teach or suggest automatically canceling the chapter boundary information when the thumbnail image is canceled by means of an input section., as recited in amended claim 6.

Accordingly, Tsugagari fails to teach or suggest every limitations of amended claims 1 an 6 and the rejection of claims 1 and 6 under 35 U.S.C. 102(b) as being anticipated by Tsumagari should be withdrawn.

Furthermore, at least due to their dependencies from patentable independent claims, the rejection of claims 2-4 and 6-9 under 35 U.S.C. 103(a) in view of Tsumagari should be also withdrawn.

Conclusion

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of pending claims 1-4 and 6-10.

Applicant submits that the entry of this Amendment is proper under 37 C.F.R. §1.116 as the claim changes: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not require any further consideration as the changes incorporate, in one form or another, features that should have been already searched; and (c) place the application in better form for an Appeal, should an Appeal be necessary.


Applicant's Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

By:  _____
E. RICO HERNANDEZ
Reg. No. 47641
Tel. No. 703.770.7788
Fax No. 703 770.7901

Date: February 15, 2007
P.O. Box 10500
McLean, VA 22102
(703) 770-7900